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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 JOE SUGGS,

10 Petitioner,

11 vs.

12 BRIAN E. WILLIAMS, et al.,

13 Respondents.
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Case No. 2:15-cv-01279-RCJ-CWH

ORDER

15 Petitioner, who is a prisoner in the custody of the Nevada Department of Corrections, has
16 filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The court dismisses this
17 action because petitioner did not pay the filing fee and did not file an application to proceed in
18 forma pauperis, together with a signed financial certificate and a copy of his inmate account
19 statement, as required by 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2. The court has reviewed
20 the petition preliminarily, and the dismissal of this action would not affect the timeliness of the
21 action under 28 U.S.C. § 2244(d)(1), because the action already appears to be untimely.

22 Reasonable jurists would not find the court's conclusion to be debatable or wrong, and the
23 court will not issue a certificate of appealability.

24 IT IS THEREFORE ORDERED that the clerk of the court shall send petitioner a blank form
25 for an application to proceed in forma pauperis for incarcerated litigants and a blank § 2254 habeas
26 corpus petition form with instructions.

27 IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice to
28 petitioner's commencement of a new action in which he either pays the filing fee in full or submits a

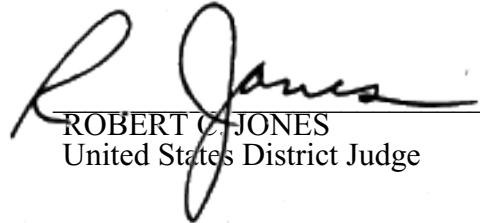
1 complete application to proceed in forma pauperis, accompanied by a signed financial certificate
2 and a statement of his inmate account. The clerk of the court shall enter judgment accordingly.

3 IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

4 IT IS FURTHER ORDERED that the clerk shall add Adam Paul Laxalt, Attorney General
5 for the State of Nevada, as counsel for respondents.

6 IT IS FURTHER ORDERED that the clerk shall electronically serve upon respondents a
7 copy of the this order. No response is necessary.

8 Dated: July 24, 2015

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11 ROBERT C. JONES
12 United States District Judge
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